

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JEREMY PINSON,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-10-0807-F
)	
DAVID MILLER, et al.,)	
)	
Defendants.)	

ORDER

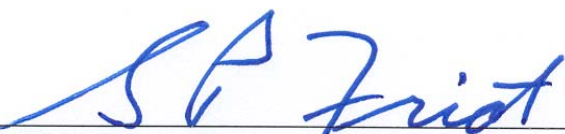
Invoking 42 U.S.C. § 1983, plaintiff Jeremy Pinson claims constitutional violations. Defendants David Miller, Ron Peters, Beverly Taylor, and GEO Group, Inc. moved for dismissal or summary judgment and a finding that the action is frivolous. (Doc. no. 16.) Plaintiff then filed a motion asking that the defendants' motion be stricken. (Doc. no. 20). In his Report and Recommendation of December 30, 2010 (doc. no. 23), the magistrate judge recommends that the court overrule plaintiff's motion to strike defendants' dispositive motion, deny defendants' motion to the extent it asks for dismissal but grant it to the extent defendants ask for summary judgment (doc. no. 16), and decline defendants' request for a finding of frivolousness. In his Report and Recommendation of January 6, 2011 (doc. no. 25), the magistrate judge recommends that the court *sua sponte* grant summary judgment to defendant Dennis Cunningham.

Plaintiff has filed objections to both Reports. (Objections to December 30, 2010 Report are at doc. no. 27, and objections to January 6, 2011 Report are at doc. no. 26.) As required by 28 U.S.C. §636(b)(1), the court has reviewed all objected to portions of both Reports, *de novo*.

Having concluded that review, and after careful consideration of plaintiff's objections, the record, and the relevant authorities, the court finds that it agrees with the recommendations stated in both Reports. The court also finds that nothing would be gained by any further analysis here.

The Magistrate Judge's Reports at doc. nos. 23 and 25 are **AFFIRMED**, **ACCEPTED** and **APPROVED**, and plaintiff's objections to both reports are **DENIED**. As recommended in the December Report (doc. no. 23), plaintiff's motion to strike (doc. no. 20) defendants' motion is **DENIED**; defendants' motion (doc. no. 16) is **DENIED** to the extent it asks the court to dismiss this action, but the motion is **GRANTED** to the extent that defendants ask the court to enter summary judgment in their favor; additionally, defendants' request for a finding of frivolousness is declined. As recommended in the Report at doc. no. 25, defendant Cunningham is **GRANTED** summary judgment *sua sponte*. Accordingly, summary judgment is hereby **GRANTED** in favor of all defendants.

Dated this 9th day of February, 2011.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE